

Whereas, doubts have arisen concerning the validity and legal sufficiency of the levying and expenditure of these funds and it is deemed advisable to put such doubts and all others that might arise concerning this matter to rest; Now Therefore,

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That the proceedings of the board of directors of southwestern area community college merged area (merged area XIV) in the levying of taxes under sections two hundred eighty A point nineteen (280A.19) through two hundred eighty A point twenty-one (280A.21) and the expenditure of those funds raised for purposes authorized for funds raised pursuant to section two hundred eighty A point twenty-two (280A.22) of the Code during the fiscal years beginning January 1, 1971 and ending June 30, 1978 are hereby legalized, validated and confirmed.

Approved June 1, 1979

CHAPTER 153

NORTH IOWA MUNICIPAL ELECTRIC
AND ALLIED POWER AGREEMENT LEGALIZED

S. F. 478

AN ACT to legalize and validate the acts and agreements of North Iowa Municipal Electric Cooperative Association and its municipal members with Allied Power Cooperative of Iowa and declaring said actions to have been legally taken.

Whereas, proceedings have been heretofore taken for the organization of the North Iowa Municipal Electric Cooperative Association under the provisions of Chapter 499 of the Code of Iowa for the purpose of obtaining electric energy and selling and distributing such electric energy to its municipal members, and a certificate of incorporation for North Iowa Municipal Electric Cooperative Association was issued by the Secretary of State of Iowa on November 23, 1965; and

Whereas, amendments to the Articles of Incorporation of North Iowa Municipal Electric Cooperative Association have been adopted and filed with the Secretary of State of Iowa on March 6, 1979; and

Whereas, North Iowa Municipal Electric Cooperative Association has become a member of and entered into a membership Agreement dated February 14, 1979 with Allied Power Cooperative of Iowa, a cooperative association organized and operating under Chapter 499 of the Code of Iowa which Agreement obligates Allied to plan, construct and operate an electric utility generating unit located on the Missouri River in Harrison County, State of Iowa known as "Allied" for the purpose of providing a source of electric energy for its members and, which agreement obligates North Iowa Municipal Electric Cooperative Association to finance and acquire facilities for the generation

and transmission of electric energy and to comply with and be bound by the Articles of Incorporation and By-Laws of Allied and to pay a membership fee of \$1,000 and to enter into a separate contract with Allied for the purchase for itself or as agent for its members, not less than 50,000 kilowatts or such greater amount as may be agreed between Allied and NIMECA, from Allied for sale and distribution by wholesale purchase contract on a take or pay basis to the members of North Iowa Municipal Electric Cooperative Association the same now being the Cities of Algona, Alta, Bancroft, Cedar Falls, Coon Rapids, Estherville, Graettinger, Grundy Center, Laurens, Milford, New Hampton, Spencer, Sumner, Waverly, Webster City, West Bend, all in Iowa and further obligating North Iowa Municipal Electric Cooperative Association to finance and acquire capacity of not less than such amount of electric energy through the use of tax exempt financing on behalf of its municipal members or such other method of financing as may be available to North Iowa Municipal Electric Cooperative Association or its municipal members pursuant to the laws of Iowa; and

Whereas, doubts have arisen concerning the validity and legal sufficiency of the proceedings and acts taken by North Iowa Municipal Electric Cooperative Association and its municipal members as recited above, and it is deemed advisable and necessary to put such doubts forever to rest; Now Therefore,

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That those proceedings and acts heretofore taken by North Iowa Municipal Electric Cooperative Association and its municipal members for the purpose of entering into said Membership Agreement dated February 14, 1979 with Allied Power Cooperative of Iowa which Agreement obligates Allied to plan, construct and operate an electric utility generating unit located on the Missouri River in Harrison County, State of Iowa known as "Allied" for the purpose of providing a source of electric energy for its members, and the organization and operation of North Iowa Municipal Electric Cooperative Association in connection with said Membership Agreement and the obligation of North Iowa Municipal Electric Cooperative Association to finance and acquire facilities for the generation and transmission of electric energy and to comply with and be bound by the Articles of Incorporation and By-Laws of Allied and to pay a membership fee of \$1,000 and to enter into a separate contract with Allied for the purchase for itself or as agents for its members, not less than 50,000 kilowatts or such greater amount as may be agreed between Allied and NIMECA, from Allied for the sale and distribution by wholesale purchase contract on a take or pay basis to the members of North Iowa Municipal Electric Cooperative Association and including the obligation to finance and acquire capacity of not less than such amount of electric energy on a tax exempt basis on behalf of municipal members of North Iowa Municipal Electric Cooperative Association and are hereby legalized, validated and confirmed and said agreement and all acts, obligations and commitments herein recited are legal and binding.

Sec. 2. This Act, being deemed of immediate importance shall take effect from and after its publication in The Denison Bulletin, a newspaper published

in Denison, Iowa, and in the Adams County Free-Press, a newspaper published in Corning, Iowa, without expense to the state.

Approved April 26, 1979

I hereby certify that the foregoing Act, Senate File 478, was published in The Denison Bulletin, Denison, Iowa on May 10, 1979, and in the Adams County Free-Press, Corning, Iowa on May 10, 1979.

MELVIN D. SYNHORST, *Secretary of State*

CHAPTER 154

ALEXANDER TENNIS COURTS

S. F. 218

AN ACT to legalize the proceedings of the city of Alexander, Iowa in connection with the letting of certain contracts.

Whereas, the city council of the city of Alexander let a contract for the construction of a tennis court situated within the city of Alexander; and

Whereas, the city council of the city of Alexander complied with all of the provisions of the law, except that the city council failed to give proper notice of the date, place and time of the bid openings by proper publication prior to the date of the acceptance of the bids; and

Whereas, some doubt has arisen as to the validity of the contracts executed between the city of Alexander and Benderoff and Associates, Inc. and Paul Kelly for the construction of the tennis court and the act and contracts should be legalized and the matter once and for all be put to rest; Now Therefore,

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. That all proceedings taken by the city council of the city of Alexander, pertaining to the letting of a contract for the construction of the tennis court where the city council failed to properly publish notice of the time, place and date of the bid opening, are validated, legalized and confirmed and shall constitute a valid, legal and binding contract for the construction of the tennis court.

Approved May 3, 1979